SPA No. 7 of 2006

Mr. Amit Bhatt, learned Additional Government Advocate for the appellant/State.

Mr. Chandra Mauli Shah, Advocate for the respondent.

Heard learned counsel for the parties. Learned counsel for the parties had taken me to the judgment where the evidence of the prosecution witnesses has been referred. I have also gone through the objection filed by the respondent. Learned Addl. G.A. pointed out that the evidence has not been properly appreciated in this case. Learned counsel for the respondent supported the judgment of the trial court. After going the judgment and evidence on record, I find that this is a fit case to grant leave to file appeal to the State. The leave to file appeal is granted.

The delay has already been condoned vide order dated 4th March, 2006

Heard learned counsel for the parties on admission.

Admit.

There is no need to send notice to the respondent as the respondent is present.

Lower court's record has already been received.

List this appeal in due course.

(J.C.S. Rawat, J.)

Dt. : 07.05.2008

Shiv